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Pate 10/95 Page Partment of Commerce Rev. 10/95 Page Page Page Page Page Page Page Page	Application Number	09/833,528			
I SEMIT	Filing Date	April 11, 2001			
TRANSMITTAL FORM	First Named Inventor	Jing W. Jiang et al.			
(to be used for all correspondence during pendency of filed application)	Group Art Unit Number	Jing W. Jiang et al.  2633  Unassigned  Technology  AUG 2 7 2001			
	Examiner Name	Unassigned Technology 2001			
Total Number of Pages in This Submission 66	Attorney Docket Number	21660-05933  Technology Center 2600			
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Signature:					
Attorney/Reg. No.: Glen Choi, Reg. No. 43,546	•	Dated: August 21, 2001			
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## IN THE UNITED STATES

## PATENT AND TRADEMARK OFFICE

Jing W. Jiang et al.

APPLICATION NO.:

09/833,528

FILING DATE:

April 11, 2001

Technology Center 2600

TITLE:

ADAPTIVE BIT RATE TRANSPONDER

**EXAMINER:** 

Unassigned

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**GROUP ART UNIT:** 

2633 .

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## INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. A copy is enclosed herewith of each listed reference which may be material to the examination of this application, and with respect to which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

	applic refere	application relies, under 35 U.S.C. § 120, on the earlier filing date of prior cation Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the ences cited therein are hereby referenced, but are not required to be provided a application under 37 CFR § 1.98(d).					
The In	format			Statement submitted herewith is being filed: onths of the filing date of the application, or date of entry			
				al stage of an international application, or before the mailing official action on the merits, whichever event last occurred;			
		before t		ing of a first official action after the filing of a request for nination (RCE) under 37 CFR § 1.114;			
of entry of the n				of the filing date of this national application or the date national stage in an international application, or after the first official action on the merits, whichever event last			
		_	d, but b	eforé the mailing date of the first to occur of either: action under 37 CFR §1.113; OR			
	·	(2)		ed hereto is the fee of \$180, as set forth under 37 CFR			
			under	p), for submission of this Information Disclosure Statement 37 CFR.§ 1.97(c); OR			
			Applic	each item of information contained in this Information  Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;  OR			
		OR		no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.			
		before	the pay	ment of the issue fee but after the mailing date of the first to			

	1]	a final action under 37 CFR § 1.113; OR
[2	2]	a notice of allowance under 37 CFR § 1.311; AND
		in accordance with the requirements of 37 CFR § 1.97(d):
		Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
		each item of information contained in this Information
		Disclosure Statement was cited in a communication from a
		foreign patent office in a counterpart foreign application not
,		more than three months prior to the filing of this Statement;
		OR
		no item of information contained in this Information
		Disclosure Statement was cited in a communication from a
		foreign patent office in a counterpart foreign application or,
		to the knowledge of the person signing this certification
		after making reasonable inquiry, was known to any
6		individual designated under 37 CFR § 1.56(c) more than
		three months prior to the filing of this Statement; AND
	] .	Applicant hereby respectfully petitions for the consideration of
		the accompanying Information Disclosure Statement under 37 CFR
		§ 1.97(d)(2); AND
		Applicant submits the petition fee of \$180 as set forth in 37 CFR §
		1.17(p).
ı		
	ıt subn	nits that no fee is required for the consideration of the
accompanying Informat		
Consideration of	f the li	sted references and favorable action are solicited.
•		Respectfully submitted,
		JING W. JIANG et al.
Dated: August 21, 200	01	By:
		Glen Choi, Reg. No. 43,546 Fenwick & West LLP
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		Palo Alto, CA 94306
		Tel.: (415) 275-2301
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AUG 2 3 2001 Sheet 1 of 1 FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE Serial No. Attorney's Docket No. 21660-05933 09/833,528 PRADEMA (REV. 6-89) Patent and Trademark Office INFORMATION DISCLOSURE CITATION Applicant Jing W. Jiang et al. Group Art Unit (Use several sheets if necessary) Filing Date April 11, 2001 2633 **U.S. PATENT DOCUMENTS** Filing Date If Class Subclass **Document Number** Name **Examiner Initial** Appropriate Gary D. McCormack et al. 375 355 01/23/2001 **A1** 6,178,213 B1 359 Paul W. Casper et al. 152 A2 6,075,634 06/13/2000 SEP \$ 2 200 Technology Center 2600 FOREIGN PATENT DOCUMENTS Date Country Class **Subclass** Translation **Document Number** No Yes OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) International Telecommunication Union, "Architecture of Optical Transports," Series G: Transmission Systems and Media, Digital Systems and Network, ITU-T Recommendation G.872, 31 pages, February 1999. DATE CONSIDERED EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.

PTO-1449 REV: 02/01

Include copy of this form with next communication to applicant.